

JEROME SCHREIBSTEIN (SBN 154051)
JAMES T. CONLEY (SBN 224174)
THE LOUDERBACK LAW FIRM
One Embarcadero Center, Suite 2300
San Francisco, California 94111
Telephone: (415) 398-7860
Facsimile: (415) 398-7863

Attorneys for Defendant
BAYER HEALTHCARE LLC

HOWARD MOORE, JR. (SBN 55228)
MOORE AND MOORE
445 Bellevue Avenue, Second Floor
Oakland, California 94610-4924
Telephone: (510) 451-0104
Facsimile: (510) 451-5056

CHARLES STEPHEN RALSTON (SBN 34111)
2421 Valley Street
Berkeley, California 94702
Telephone: (510) 540-9683
Facsimile: (510) 540-9683

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

HABEN BERHANE,

Plaintiff,

v.

BAYER HEALTHCARE, Biological Products
Division, a for profit business entity,

Defendant.

CASE NO. C-05-02872 JSW

**STIPULATION AND [PROPOSED]
ORDER DISMISSING ENTIRE ACTION
WITH PREJUDICE**

TRIAL DATE: None Assigned

Hon. Jeffrey S. White

STIPULATION

It is hereby stipulated by and between Defendant Bayer Corporation, on the one hand, and Plaintiff Haben Berhane, on the other hand, through their respective counsel, as follows:

1. Plaintiff agrees to a dismissal with prejudice of the entire above-captioned action;
2. Defendant agrees to waive its right to pursue any recovery from plaintiff for any costs or fees it incurred defending against this action; and
3. All parties shall bear their own costs and fees.

1 **IT IS SO STIPULATED.**

2 DATED: February 24, 2006

MOORE & MOORE

3
4 By: s/Howard Moore, Jr.

HOWARD MOORE, JR.

Attorney for Plaintiff

6 DATED: February 24, 2006

7 By: s/Charles Stephen Ralston

CHARLES STEPHEN RALSTON

Attorney for Plaintiff

9 DATED: February 24, 2006

THE LOUDERBACK LAW FIRM

11 By: s/James T. Conley

JEROME SCHREIBSTEIN

JAMES T. CONLEY

Attorneys for Defendant

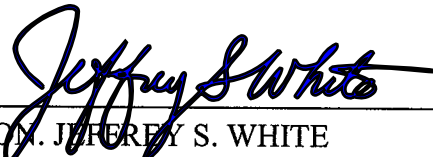
BAYER HEALTHCARE

ORDER

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the above action is dismissed in its entirety with prejudice, each side to bear their own costs and fees.

IT IS SO ORDERED.

DATED: February 24, 2006



HON. JEFFREY S. WHITE
United States District Court Judge
Northern District of California

#36394